

The Honorable Thomas S. Zilly

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

PROTEOTECH, INC., a Washington Corporation and UNIVERSITY OF WASHINGTON, a public institution of higher learning,	)	
	)	
	)	No. CV6-1297Z
	)	
Plaintiffs,	)	JOINT CLAIM CONSTRUCTION CHARTS
	)	
v.	)	
	)	
UNICITY INTERNATIONAL, INC., a Utah corporation,	)	
	)	
Defendant.	)	
	)	
UNICITY INTERNATIONAL, INC., a Delaware corporation,	)	
	)	
Third-Party Plaintiff,	)	
	)	
v.	)	
	)	
NBTY, INC., a Delaware corporation,	)	
	)	
Third-Party Defendant.	)	

Pursuant to the Court’s Minute Order Setting Trial and Related Dates issued December 8, 2006, Plaintiff ProteoTech, Inc. (“Plaintiff ProteoTech”) and Defendant Unicity International, Inc. (“Defendant Unicity”) hereby submit two Joint Claim Construction Charts. One term is in dispute: “therapeutically effective amount,” found in U.S. Patent No. 6,939,570 in claims 1, 2, 4, 5, 8 – 11, and 14. The parties agree on the

additional definitions set forth in the Joint Claim Charts.

Copies of U.S. Patent Nos. 6,264,994 and 6,939,570 are attached hereto as Exhibits A and B respectively. As the Joint Claim Chart contains no citations to the patents' respective prosecution histories, no portions of those prosecution histories are attached. The parties have the complete prosecution history for each of the patents at issue available at the Court's request.

### JOINT CLAIM CONSTRUCTION CHART '994 PATENT

Claim Language	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in Support
<p>Term 1. A composition comprising <b>plant matter</b> from . . .</p> <p>Found in claim numbers 1 - 4, 6, 10 - 14, and 17.</p>	<p><b>plant matter</b></p> <p><u>Proposed Construction:</u>            "Any substance taken from a member of the plant kingdom including the plant itself as well as extracts and derivatives thereof."</p> <p><u>Dictionary / Treatise Definitions:</u>            THE MERRIAM-WEBSTER DICTIONARY, NEW EDITION (Frederick C. Mish ed., 1994)</p> <p>matter: "a specific type of substance (e.g., organic matter)."</p> <p>plant: "any of a kingdom of living things that usually have no locomotor ability or obvious sense organs and have cellulose cell walls and usually capacity for indefinite growth."</p> <p><u>Intrinsic Evidence:</u>            The opening sentence of the '994 Patent abstract states broadly that the invention is a "composition of plant matter comprising Uncaria tomentosa and at least one of ginkgo biloba, rosemary, gotu kola and bacopin."            Abstract to '994 Patent</p> <p>Examples of plant matter described in the '994 Patent include inner bark and roots from cat's claw and leaves from ginkgo biloba. "Another</p>	<p>Agreed.</p>

	<p>object of the present invention is to use the inner bark and/or roots from <i>Uncaria tomentosa</i> . . . for . . . treatment . . .” ‘994 Patent col. 2:10. Claim 2 of the ‘994 Patent includes “an extract obtained from the leaves of ginkgo biloba.”</p> <p>Another portion of the specification states that “the <i>plant matter</i> is preferably comprised of commercially obtained pills, tablets, caplets, soft and hard gelatin capsules, lozenges, sachets, cachets, vegicaps, liquid drops, elixers, suspensions, emulsions, solutions, syrups, tea bags, aerosols (as a solid or in a liquid medium), suppositories, sterile injectable solutions, sterile packaged powders, bark bundles and/or bark powder, <i>which contain Uncaria tomentosa, extracts or derivatives thereof</i>, and may be taken from commercially available gelatin-coated capsules which contain dried-powder of <i>Uncaria tomentosa</i>, extracts or derivatives thereof.” ‘994 Patent col. 10:5 (emphasis added).</p>	
<p>Term 2.  . . . wherein the plant matter comprises an <b>extract</b> obtained from . . .    Found in claim numbers 2, 6, and 10.</p>	<p><b>extract</b></p> <p><u>Proposed Construction:</u>  “Something separated or otherwise obtained (as constituent elements or juices) from a substance, such as, by treating with a solvent (as alcohol), distilling, evaporating, subjecting to pressure or centrifugal force, or by some chemical, mechanical, or other extraction process.”</p> <p><u>Dictionary / Treatise Definitions:</u>  WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY, UNABRIDGED (Phillip Babcock Gove, Ph.D. ed., 1993)</p> <p>extract (as a noun): “something extracted”</p> <p>extract (as a verb): “to separate or otherwise obtain (as constituent elements or juices) from a substance by treating with a solvent (as alcohol), distilling, evaporating, subjecting to pressure or centrifugal force, or by some other chemical or mechanical process.”</p> <p><u>Intrinsic Evidence:</u>  In describing some of the different sources for obtaining cat’s claw, the patent specification refers to “<i>Uncaria tomentosa extracted</i> from different commercial sources (<i>extracts</i> isolated</p>	<p>Agreed.</p>

	<p>from gelatin-coated capsules, caplets or liquid form) were all found to serve as potent inhibitors of Alzheimer's disease amyloid fibrillogenesis.” ‘994 Patent col. 6:30. Here, “extract” refers to the material separated from previously manufactured products that contain cat’s claw.</p> <p>The specification also refers to “extract” as the resulting substance following a chemical process to break down the plant matter: “Another aspect of the invention is a method for isolating amyloid inhibitory constituents within Uncaria tomentosa plant matter, the method comprising the following steps: a) extracting the plant matter with an organic solvent, b) concentrating the extract, c) removing insoluble materials, d) precipitating amyloid inhibitory constituents with organic solvent e) recovering and redissolving the amyloid inhibitory constituents obtained in organic solvent, and f) injecting and separation by HPLC.” ‘994 Patent col. 9:65 (emphasis added).</p> <p>The patent specification also describes the physical process of boiling to obtain the medicinal components of the cat’s claw plant: “The native Indian tribes traditionally have boiled the inner bark and root of the herb to make a tea decoction and regard Uncaria tomentosa as a sacred medicinal plant. . . . The alkaloids and phytochemicals in the inner bark of Uncaria tomentosa are almost identical to those found in the root . . .” ‘994 Patent col. 17:5.</p>	
<p>Term 3. ... plant matter from the plant commonly known as <b>cat’s claw</b> ...</p> <p>Found in claims 1-4, 6, and 10-13.</p>	<p><b>cat's claw</b></p> <p><u>Proposed Construction:</u> "Those species of the genus Uncaria that are commonly known as cat's claw, including Uncaria tomentosa."</p> <p><u>Intrinsic Evidence:</u> “Uncaria tomentosa or Cat's claw is also referred to as, but not limited to, Paraguayo, Garabato, Garbato casha, Tambor huasca, Una de gavilan, Hawk's claw, Nail of Cat, and Nail of Cat Schuler.” ‘994 Patent col. 2:15</p> <p>The specification is broader than Uncaria</p>	<p>Agreed.</p>

1		tomentosa, however. "Another object of the present invention is to use extracts and/or derivatives thereof from plant matter related to the various Uncaria species, which may include but not limited to, Uncaria tomentosa, Uncaria attenuata, Uncaria elliptica, Uncaria guianensis, Uncaria pteropoda, Uncaria bernaysli, Uncaria ferra DC, Uncaria kawakamii, Uncaria rhyncophylla, Uncaria calophylla, Uncaria gambir, and Uncaria orientalis." '994 Patent col. 2:25.	
2		Similarly, "[w]hile results are exemplified with Species tomentosa, other species of Uncaria are believed to have similar effect." '994 Patent col. 6:35.	
3	Terms 4 - 7. . . . and plant matter selected from the group of plants consisting of, and commonly known as, <b>ginkgo biloba</b> , <b>rosemary</b> , <b>gotu kola</b> and <b>bacopin</b> .	<b>ginkgo biloba</b> <b>rosemary</b> <b>gotu kola</b> <b>bacopin</b>  <u>Proposed Construction:</u> These terms refer to herbal plants commonly used throughout the nutraceutical industry.	Agreed.
4	Found in claims 1-4, 6, and 10-13.		
5	Term 8. . . . an extract obtained from the <b>inner bark</b> of cat's claw . . .	<b>inner bark</b>  <u>Proposed Construction:</u> "That portion of the bark that lies closest to the center of the plant."  <u>Dictionary / Treatise Definitions:</u> WEBSTER'S THIRD NEW INTERNATIONAL DICTIONARY, UNABRIDGED (Phillip Babcock Gove, Ph.D. ed., 1993)  inner: "situated farther in <an inner chamber> <the inner bark>"  bark: "the exterior dead cellular covering of woody roots and stems . . ."	Agreed.
6	Found in claims 2, 6, and 10.		
7	Term 9. . . . an amount of plant matter that has an in vitro <b>amyloid inhibitory activity or</b>	<b>amyloid inhibitory activity or efficacy</b>  <u>Proposed Construction:</u> "Having the effect of reducing, suppressing,	Agreed.
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1 **efficacy** greater than  
20%.

2 Found in claim 17.

retarding, eliminating, preventing, inhibiting,  
interfering with, disrupting, and/or dissolving  
amyloid fibril or amyloid protein deposits.”

3 Dictionary / Treatise Definitions:

4 WEBSTER’S THIRD NEW INTERNATIONAL  
5 DICTIONARY, UNABRIDGED (Phillip Babcock  
6 Gove, Ph.D. ed., 1993)

inhibitory: “tending or serving to inhibit”

inhibit: “to reduce or suppress the activity of; to  
retard or prevent the formation of; to retard,  
interfere with, or prevent (a chemical process or  
reaction)”

efficacy: “the power to produce an effect”

7 Intrinsic Evidence:

8 The phrase relates to a measurement of the  
9 effectiveness of *Uncaria tomentosa* extract in  
10 inhibiting the formation or growth of amyloid  
11 deposits in laboratory test specimens. The  
12 efficacy of a substance in inhibiting amyloid  
13 formation can be measured through controlled  
14 bioassays. Some of these tests utilize Thioflavin  
15 T fluorometry. Thioflavin T is known to bind to  
16 fibrillar amyloid proteins, and an increase in  
17 fluorescence correlates with an increase in  
18 amyloid fibril formation, whereas a decrease in  
19 fluorescence correlates with a decrease in  
20 amyloid fibril formation. ‘994 Patent col. 20:45.  
21 In these tests, the effectiveness of the compound  
22 can be quantified by a reduction in fluorescence  
23 from the control group. For example, Figure 1  
24 shows that after one week, the candidate labeled  
25 PTI-00700 reduced the fluorescence of  
26 Thioflavin T by 78% compared to the control  
27 group labeled AB. ‘994 Patent col. 22:5 and  
Figure 1.

The specification also describes the effect of the  
patented composition. “Compositions of the  
invention, as formulated above, also have the  
ability to reduce, eliminate, prevent, inhibit or  
disrupt/dissolve amyloid fibril or protein  
deposits, brain associated amyloid fibril deposits  
or brain associated amyloid protein deposits, as  
well as amyloid fibril formation and growth or  
age associated amyloid fibril formation and  
growth, brain associated amyloid fibril

formation and growth, and interaction of amyloid protein with glycosaminoglycans, or with proteoglycans.” ‘994 Patent col. 9:25.

### JOINT CLAIM CONSTRUCTION CHART ‘570 PATENT

Claim Language	Plaintiff’s Proposed Construction and Evidence in Support	Defendant’s Proposed Construction and Evidence in Support
<p>Term 1. A <b>pharmaceutical agent</b> for treating an amyloid disease . . .</p> <p>Found in claims 1-14.</p>	<p><b>pharmaceutical agent</b></p> <p><u>Proposed Construction:</u> “A substance capable of producing a medicinal or therapeutic effect.”</p> <p><u>Dictionary / Treatise Definitions:</u> WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY, UNABRIDGED (Phillip Babcock Gove, Ph.D., ed., 1993)</p> <p>THE MERRIAM-WEBSTER DICTIONARY, NEW EDITION (Frederick C. Mish ed., 1994)</p> <p>pharmaceutical: “of, relating to, or engaged in pharmacy or the manufacture and sale of medicinal drugs.” MERRIAM-WEBSTER.</p> <p>pharmacy: “the art or practice of preparing, preserving, compounding and dispensing drugs, of discovering new drugs through research, and of synthesizing organic compounds of therapeutic value.” WEBSTER’S.</p> <p>agent: “means” or “instrument” (MERRIAM-WEBSTER) or more specifically, “a substance capable of producing a chemical reaction or a physical or biological effect.” WEBSTER’S.</p> <p><u>Intrinsic Evidence:</u> The opening sentence of the ‘570 Patent abstract states that the invention relates to compositions and methods for treating Alzheimer’s disease. ‘570 Patent Abstract.</p>	<p>Agreed.</p>



	And, throughout the '570 Patent, the specification refers to the treatment of amyloid diseases. Thus, the specification does not otherwise limit this claim language.	
<p>Term 2. . . wherein the agent comprises a <b>therapeutically effective amount</b> of an extract obtained from . . .</p> <p>Found in Claims 1, 2, 4, 5, 8 – 11, and 14.</p>	<p><b>therapeutically effective amount</b></p> <p><u>Proposed Construction:</u> "An amount or dose of an agent that when administered to an organism will produce a desired effect."</p> <p><u>Dictionary / Treatise Definitions:</u> WEBSTER'S THIRD NEW INTERNATIONAL DICTIONARY, UNABRIDGED (Phillip Babcock Gove, Ph.D. ed., 1993)</p> <p>therapeutic: "of or related to the treatment of disease or disorders by remedial agents or methods"; synonyms are "curative" and "medicinal."</p> <p><u>Intrinsic Evidence:</u> The opening sentence of the '570 Patent abstract states that the invention relates to compositions and methods for <i>treating</i> Alzheimer's disease. '570 Patent Abstract (emphasis added).</p> <p>The specification provides a wide list of both human and animal ailments caused by amyloids which may be treated with the patented composition. "The amyloid disease for treatment with the pharmacological agent is selected from the group consisting of the amyloid associated with Alzheimer's disease, Down's syndrome and hereditary cerebral hemorrhage with amyloidosis of the Dutch type (wherein the specific amyloid is referred to as beta-amyloid protein or A. beta.), the amyloid associated with chronic inflammation, various forms of malignancy and Familial Mediterranean Fever (wherein the specific amyloid is referred to as AA amyloid or inflammation-associated amyloidosis), the amyloid associated with multiple myeloma and other B-cell dyscrasias (wherein the specific amyloid is referred to as AL amyloid), the amyloid associated</p>	<p><b>therapeutically effective amount</b></p> <p><u>Proposed Construction:</u> "An amount or dose of a pharmaceutical agent that when administered to a person who has therapeutic need, will produce a specifically desired physiological effect."</p> <p><u>Dictionary/Treatise Definitions:</u> WEBSTER'S NINTH NEW COLLEGIATE DICTIONARY (Frederick C. Mish, ed., 1986)</p> <p>therapeutic: "of or relating to the treatment of disease or disorders by remedial agents or methods"</p> <p>effective: "producing a decided, decisive, or desired effect"</p> <p><u>Intrinsic Evidence:</u> "A pharmaceutical agent for treating an amyloid disease . . . ." Abstract.</p> <p>The specification addresses dosages determined by physicians. Physicians treat humans. Further, the patent is directed at treatment of subjects with amyloidoses. "However, it will be understood that the therapeutic dosage administered will be determined by the physician in the light of the relevant circumstances including the clinical condition to be treated, the organ or tissues affected or</p>



1	with type II diabetes (wherein the specific amyloid is referred to as amylin or islet amyloid), the amyloid associated with the prion diseases including Creutzfeldt-Jakob disease, Gerstmann-Straussler syndrome, kuru and animal scrapie (wherein the specific amyloid is referred to as PrP amyloid), the amyloid associated with long-term hemodialysis and carpal tunnel syndrome (wherein the specific amyloid is referred to as beta.sub.2 -microglobulin amyloid), the amyloid associated with senile cardiac amyloid and Familial Amyloidotic Polyneuropathy (wherein the specific amyloid is referred to as trathyretin or prealbumin), and the amyloid associated with endocrine tumors such as medullary carcinoma of the thyroid (wherein the specific amyloid is referred to as various of procalcitonin).” ‘570 Patent col. 7:65.	suspended to be affected with amyloid accumulation, and the chosen route of administration.” Col. 28, ll. 36-41. “Use of extracts from the inner bark and root parts of <i>Uncaria tomentosa</i> , and use of the ingredients contained within the various commercial preparations of <i>Uncaria tomentosa</i> , <i>benefit human patients with Alzheimer's disease and other amyloidoses</i> due to <i>Uncaria tomentosa</i> 's newly discovered ability to inhibit amyloid fibril formation, inhibit amyloid fibril growth, inhibit amyloid-proteoglycan interactions, inhibit amyloid-glycosaminoglycan interactions, and cause dissolution and/or disruption of preformed amyloid fibrils.” Col. 32, ll. 13-22 (emphasis added). “[T]he invention is the only system that effectively provides for use of extracts from the inner bark and root parts of <i>Uncaria tomentosa</i> , and use of the ingredients contained within the various commercial preparations of <i>Uncaria tomentosa</i> , <i>to benefit human patients with Alzheimer's disease and other amyloidoses</i> . . . .” Col. 5, ll. 17-22 (emphasis added). “In the methods of the invention, <i>amyloid formation, deposition, accumulation and/or persistence in a subject is inhibited by administering Uncaria tomentosa (or its active ingredients) in a therapeutic dosage to the subject.</i> ” Col. 30, ll. 22-25 (emphasis added).
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12	The specification supports a construction that includes subjects other than humans in another section as well. “In the methods of the invention, amyloid formation, deposition, accumulation and/or persistence in a subject is inhibited by administering <i>Uncaria tomentosa</i> (or its active ingredients) in a therapeutic dosage to the subject. <i>The term subject is intended to include living organisms in which amyloidosis can occur. Examples of subjects include humans, monkeys, cows, dogs, sheep, cats, mice, rats, and transgenic species thereof.</i> ” ‘570 Patent col. 30:25 (emphasis added).	
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		<p>treating amyloid deposits, a physiological condition.          “Amyloid is a generic term referring to a group of diverse, but specific extracellular protein deposits . . .” Col. 11, ll. 52-53.          “Alzheimer's disease is characterized by the deposition and accumulation of a 39-43 amino acid peptide termed on the beta-amyloid protein . . . .” Col. 14, ll. 12-14.          “The pathological hallmarks of Alzheimer's disease is therefore the presence of ‘plaques’ and ‘tangles’, with amyloid being deposited in the central core of plaques. The other major type of lesion found in the Alzheimer's disease brain is the accumulation of amyloid in the walls of blood vessels, both within the brain parenchyma and in the walls of meningeal vessels which lie outside the brain.” Col. 14, ll. 34-40.          The specification addresses only the physiological treatment of Alzheimer’s and other amyloid diseases.</p> <p><u>Extrinsic Evidence:</u>          Expert Report of Steven Kern.</p>
<p>Term 3.          . . . wherein the agent comprises a therapeutically effective amount of an <b>extract</b> obtained from . . .</p> <p>Found in claim</p>	<p><b>extract</b></p> <p><u>Proposed Construction:</u>          “Something separated or otherwise obtained (as constituent elements or juices) from a substance, such as, by treating with a solvent (as alcohol), distilling, evaporating, subjecting to pressure or centrifugal force, or by some</p>	<p>Agreed.</p>

1 numbers 1, 8, 9, and  
2 14.

chemical, mechanical, or other extraction  
process.”

Dictionary / Treatise Definitions:

WEBSTER’S THIRD NEW INTERNATIONAL  
DICTIONARY, UNABRIDGED (Phillip  
Babcock Gove, Ph.D. ed., 1993)

extract (as a noun): “something extracted”

extract (as a verb): “to separate or  
otherwise obtain (as constituent elements  
or juices) from a substance by treating  
with a solvent (as alcohol), distilling,  
evaporating, subjecting to pressure or  
centrifugal force, or by some other  
chemical or mechanical process.”

Intrinsic Evidence:

The specification states that “the  
pharmacological agent is preferably an  
**extract** obtained from Uncaria tomentosa,  
the **extract** being derived from the inner  
bark or root tissue in Uncaria tomentosa,  
and advantageously taken from some  
commercially available source, such as  
pills, tablets, caplets, soft and hard gelatin  
capsules, lozenges, sachets, cachets,  
vegicaps, liquid drops, elixers,  
suspensions, emulsions, solutions, syrups,  
tea bags, aerosols (as a solid or in a liquid  
medium), suppositories, sterile injectable  
solutions, sterile packaged powders, bark  
bundles or bark powder.” ‘570 Patent col.  
7:15. In the quoted passage, “**extract**”  
refers to the substance separated from the  
inner bark or root tissue of the plant by  
others who then offer it in various forms  
for commercial sale.

As described further in the ‘570 Patent,  
these commercial “**extracts**” can be  
further processed to create new  
“**extracts**.” The specification states “In  
one such method, an **extract** prepared  
from commercially obtained pills, tablets,  
. . . bark bundles and/or bark powder,  
using the method employing some or all  
of the following steps: a) **extraction** from  
Uncaria tomentosa regardless of form as  
described above using an organic solvent

1		such as propanol, b) concentration of the <b>extract</b> by using a method such as rotary evaporation, lyophilization or precipitation, . . .” ‘570 Patent col. 6:40 (emphasis added).	
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4	Term 4. . . . an extract obtained from the <b>inner bark</b> of cat’s claw . . .	<b>inner bark</b>	Agreed.
5		<u>Proposed Construction:</u>	
6		“That portion of the bark that lies closest to the center of the plant.”	
7	Found in claims 1 and 9.	<u>Dictionary / Treatise Definitions:</u>	
8		WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY, UNABRIDGED (Phillip Babcock Gove, Ph.D. ed., 1993)	
9		inner: “situated farther in <an inner chamber> <the inner bark>”	
10		bark: “the exterior dead cellular covering of woody roots and stems . . .”	
11			
12			
13	Term 5. . . wherein the <b>commercially available source</b> of <i>Uncaria tomentosa</i> is selected from . . .	<b>commercially available source</b>	Agreed.
14		<u>Proposed Construction:</u>	
15		“A supply from which something may be secured, directly or indirectly, by purchase.”	
16		<u>Intrinsic Evidence:</u>	
17		This definition of the term is exemplified by the language of claim 3, which lists no less than twenty-two examples of commercially available sources. ‘570 Patent claim 3.	
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19			
20	Term 6. . . . wherein the therapeutically effective amount of extract has an in vitro <b>amyloid inhibitory activity or efficacy</b> greater than 50%.	<b>amyloid inhibitory activity or efficacy</b>	Agreed.
21		<u>Proposed Construction:</u>	
22		“Having the effect of reducing, suppressing, retarding, eliminating, preventing, inhibiting, interfering with, disrupting, and/or dissolving amyloid fibril or amyloid protein deposits.”	
23		<u>Dictionary / Treatise Definitions:</u>	
24		WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY, UNABRIDGED (Phillip Babcock Gove, Ph.D. ed., 1993)	
25	Found in claims 8 and 14.		
26			
27			

1 inhibitory: “tending or serving to inhibit”

2 inhibit: “to reduce or suppress the activity  
3 of; to retard or prevent the formation of; to  
4 retard, interfere with, or prevent (a  
5 chemical process or reaction)”

6 efficacy: “the power to produce an effect”

7 Intrinsic Evidence:

8 The phrase relates to a measurement of the  
9 effectiveness of *Uncaria tomentosa*  
10 extract in inhibiting the formation or  
11 growth of amyloid deposits in laboratory  
12 test specimens. The efficacy of a  
13 substance in inhibiting amyloid formation  
14 can be measured through controlled  
15 bioassays. Some of these tests utilize  
16 Thioflavin T fluorometry. Thioflavin T is  
17 known to bind to fibrillar amyloid  
18 proteins, and an increase in fluorescence  
19 correlates with an increase in amyloid  
20 fibril formation, whereas a decrease in  
21 fluorescence correlates with a decrease in  
22 amyloid fibril formation. ‘570 Patent col.  
23 17:5. In these tests, the effectiveness of  
24 the compound can be quantified by a  
25 reduction in fluorescence from the control  
26 group. For example, Figure 1 shows that  
27 after one week, the candidate labeled PTI-  
00700 reduced the fluorescence of  
Thioflavin T by 78% compared to the  
control group labeled AB. ‘570 Patent  
col. 18:30 and Figure 1.

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	<p>The specification also describes the effect of the patented composition. “All of these studies suggest that providing a drug to reduce, eliminate or prevent fibrillar A. beta. formation, deposition, accumulation and/or persistence in the brains of human patients is believed to serve as an effective therapeutic. ‘570 Patent col. 15:15.</p>	
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DATED this 4th day of May, 2007.

Davis Wright Tremaine LLP  
Attorneys for Plaintiffs

By s/ Stuart R. Dunwoody  
Stuart R. Dunwoody, WSBA #13948

2600 Century Square  
1501 Fourth Avenue  
Seattle, WA 98101-1688  
Tel: (206) 628-7649  
Fax: (206) 903-3849  
Email: stuardunwoody@dwt.com

Parr Waddoups Brown Gee & Loveless  
Attorneys for Defendants

By s/ Timothy B. Smith  
Timothy B. Smith, Pro Hac Vice

185 South State Street, Suite 1300  
Salt Lake City, Utah 94111-1537  
Tel: (801) 532-7840  
Fax: (801) 532-7750  
Email: tbs@pwlaw.com

**CERTIFICATE OF SERVICE**

I hereby certify that on the 4th day of May, 2007, I served a true and correct copy of the following document by the method indicated below and addressed as follows:

**Joint Claim Chart**

McNAUL EBEL NAWROT & HELGREN  
PLLC

Robert M. Sulkin, Esq.  
600 University Street, Suite 2700  
Seattle, Washington 98101

☐ U.S. Mail  
☐ Hand Delivery  
☐ Overnight Mail  
☐ Facsimile  
☒ CM/ECF Notification

PARR WADDOUPS BROWN GEE &  
LOVELESS

Jeffrey J. Hunt, Esq.  
Timothy B. Smith  
David C. Reymann  
185 South State Street, Suite 1300  
Salt Lake City, Utah 94111-1537

☐ U.S. Mail  
☐ Hand Delivery  
☐ Overnight Mail  
☐ Facsimile  
☒ CM/ECF Notification

LANE POWELL PC

Larry S. Gangnes  
1420 Fifth Avenue, Suite 4100  
Seattle, WA 98101-7107

☐ U.S. Mail  
☐ Hand Delivery  
☐ Overnight Mail  
☐ Facsimile  
☒ CM/ECF Notification

JAGTIANI + GUTTAG

Steven B. Kelber  
10363-A Democracy Lane  
Fairfax, VA 22030

☐ U.S. Mail  
☐ Hand Delivery  
☐ Overnight Mail  
☐ Facsimile  
☒ CM/ECF Notification

DATED this 4th day of May, 2007.

s/ Michelle Webb

Michelle Webb